

PHILLIP A. TALBERT
United States Attorney
ALEXIS KLEIN
ROSS PEARSON
Assistant United States Attorneys
501 I Street, Suite 10-100
Sacramento, CA 95814
Telephone: (916) 554-2700
Facsimile: (916) 554-2900

Attorneys for Plaintiff
United States of America

IN THE UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

MARCUS MILLER,
REGINALD JONES,
JIMMY VAN II, and
JAZZMINE CAMPBELL,

Defendants.

CASE NO. 2:23-CR-00150 DJC

STIPULATION REGARDING EXCLUDABLE
TIME PERIODS UNDER SPEEDY TRIAL ACT;
FINDINGS AND ORDER

DATE: August 8, 2024

TIME: 9:00 a.m.

COURT: Hon. Daniel J. Calabretta

STIPULATION

1. This matter was set for status conference before the Honorable Daniel Calabretta on August 8, 2024. ECF No. 71. Time has been excluded through and including August 8, 2024, as to all of the above-captioned defendants. *Id.*

2. By this stipulation, the government and the defendants (“the parties”) request to set a status conference on August 22, 2024, and to exclude time between August 8 and August 22, 2024, under Local Code T4.

3. The parties agree and stipulate, and request that the Court find the following:

a) Discovery associated with this case and produced to date includes reports, photographs, and other digital evidence which has been either produced directly to counsel and/or made available for inspection and copying.

1 b) Since the last requested continuance, the government has produced several
2 thousand pages of additional discovery under the protective order. *See* ECF 60, 64.

3 c) Counsel for the defendants desire additional time to consult with their respective
4 clients, review the current charges, conduct investigation and research related to the charges, to
5 review and copy discovery for this matter, and to otherwise prepare for trial. Counsel for the
6 defendants believe that the failure to grant the above-requested continuance would deny them the
7 reasonable time necessary for effective preparation, taking into account the exercise of due
8 diligence.

9 d) The government joins the request to continue.

10 e) Based on the above-stated findings, the ends of justice served by continuing the
11 case as requested outweigh the interest of the public and the defendant in a trial within the
12 original date prescribed by the Speedy Trial Act.

13 f) For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161,
14 et seq., within which trial must commence, the time period of May 30, 2024, to August 8, 2024,
15 is deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv) [Local Code T4] because it
16 results from a continuance granted by the Court at defendants' request on the basis of the Court's
17 finding that the ends of justice served by taking such action outweigh the best interest of the
18 public and the defendant in a speedy trial.

19 4. Nothing in this stipulation and order shall preclude a finding that other provisions of the
20 Speedy Trial Act dictate that additional time periods are excludable from the period within which a trial
21 must commence.

22 IT IS SO STIPULATED.

23 ///

24 ///

25 ///

26 ///

27 ///

1 Dated: August 1, 2024

PHILLIP A. TALBERT
United States Attorney

2
3 /s/ ALEXIS KLEIN
4 ALEXIS KLEIN
5 ROSS PEARSON
6 Assistant United States Attorneys

7 Dated: August 1, 2024

8 /s/ MIKE LONG
9 MIKE LONG
10 Counsel for Defendant
11 MARCUS MILLER

12 Dated: August 1, 2024

13 By: /s/ DAVID FISCHER
14 DAVID FISCHER
15 Counsel for Defendant
16 REGINALD JONES

17 Dated: August 1, 2024

18 By: /s/ TASHA CHALFANT
19 TASHA CHALFANT
20 Counsel for Defendant
21 JIMMY VAN II

22 Dated: August 1, 2024

23 By: /s/ KYLE KNAPP
24 KYLE KNAPP
25 Counsel for Defendant
26 JAZZMINE CAMPBELL
27
28

ORDER

The Court, having received, read, and considered the parties' stipulation, and good cause appearing therefrom, adopts the parties' stipulation in its entirety as its order. The Court vacates the August 8, 2024, status conference and resets the matter for a status conference on August 22, 2024, at 9:00 a.m. The Court also finds that based on the facts set forth in the parties' stipulation, the failure to exclude time between August 8 and August 22, 2024, would deny counsel reasonable time necessary for effective preparation, taking into account the exercise of due diligence. The Court further finds that the ends of justice served by the continuance outweigh the best interests of the public and the defendant in a speedy trial. Time from August 8 to August 22, 2024, is excluded from the computation of time within which the trial of this case must commence under the Speedy Trial Act, pursuant to 18 U.S.C. § 3161(h)(7)(A) and (B)(iv), and Local Code T-4.

IT IS SO FOUND AND ORDERED this 5th day of August, 2024.

/s/ Daniel J. Calabretta

THE HONORABLE DANIEL J. CALABRETTA
UNITED STATES DISTRICT JUDGE